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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION
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15 *IN RE: SUBPOENA TO REDDIT, INC.*
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20 *IN RE: SUBPOENA TO X CORP., Successor*
21 *in Interest to TWITTER, INC.*
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Case No. 4:23-mc-80119-DMR /
Case No. 4:23-mc-80122-DMR

(Originating Case: Silva v. Doe 1, et al., S.D.
Fla. 1:22-cv-24262-RKA)

**NOTICE OF WITHDRAWAL OF
MOTIONS TO COMPEL; STIPULATION;
[PROPOSED] ORDER**

[Local Rule 7-7(e)]

Hearing Date: June 8, 2023
Time: 1:00 p.m.
Courtroom: 4, 3rd Floor
Judge: Chief Magistrate Judge Ryu

1 PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 7-7(e), Plaintiff Riccardo
2 Silva (“Plaintiff”) hereby withdraws his: (i) Motion to Compel Non-Party Reddit, Inc. (“Reddit”) to
3 respond to Subpoena, filed on April 19, 2023 (Dkt. No. 1) (“Reddit Motion to Compel”); and
4 (ii) Motion to Compel Non-Party X Corp., successor in interest to Twitter, Inc. (“Twitter”) to
5 respond to Subpoena, filed on April 20, 2023 (Dkt. No. 1) (“Twitter Motion to Compel”), without
6 prejudice to Plaintiff’s right to re-file and re-notice these motions at a later date in the assigned
7 cases.

8 On May 8, 2023, Magistrate Judge Westmore issued an order relating Case No. 4:23-mc-
9 80119-KAW and Case No. 4:23-mc-80122-DMR, with both cases assigned to the Honorable
10 Donna M. Ryu (Dkt. Nos. 9 and 10). Plaintiff had noticed a hearing for the Twitter Motion to
11 Compel to be heard in this Court on June 8, 2023 at 1:00 p.m. (Dkt. No. 6). No hearing date has
12 yet been noticed in the Reddit Matter.

13 However, Plaintiff has just learned certain facts relating to the publication of the
14 defamatory statements against him, including facts relating to the man who hired the defamatory
15 mobile billboard and who was likely also involved in publishing the defamatory Twitter and
16 Reddit posts. Plaintiff will develop those facts and intends to file an Amended Complaint in the
17 pending lawsuit in the Southern District of Florida under Case No. 1:22-cv-24262-RKA (“Florida
18 Lawsuit”), which will affect the arguments raised in the Reddit and Twitter Motions to Compel.

19 In light of these circumstances, Plaintiff respectfully requests that this Court remove from
20 the calendar the hearing on the Twitter Motion to Compel currently scheduled for June 8, 2023. If
21 necessary, Plaintiff will re-file and re-notice the Reddit and Twitter Motions to Compel including
22 any supplemental information. Plaintiff will also notify the Court in the event that matters proceed
23 in the Florida Lawsuit which obviate the need for the Reddit and Twitter Motions to Compel.

24 There is no objection to this relief, as counsel for Reddit and Twitter have stipulated
25 below.

1 DATED: May 9, 2023

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation

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4 By: /s/ Kerry L. Duffy
Kerry L. Duffy
5 Attorneys for Plaintiff RICCARDO SILVA
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STIPULATION

WHEREAS, the Court has issued an order relating the action entitled *In re: Subpoena to Reddit, Inc.*, Case No. 4:23-mc-80119-KAW (“Reddit Action”) to the action entitled *In re: Subpoena to X Corp., Successor in Interest to Twitter, Inc.*, Case No. 4:23-mc-80122-DMR (the “Twitter Action”), and has re-assigned the Reddit Action to the Honorable Donna M. Ryu.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, BY AND BETWEEN Plaintiff Riccardo Silva, Non-Party Reddit, Inc., and Non-Party X Corp., Successor in Interest to Twitter, Inc., through their respective attorneys, subject to this Court’s approval:

1. That the previously filed Motions to Compel in the Twitter Action and the Reddit Action are hereby withdrawn, and the June 8, 2023 hearing currently set in the Twitter Action before the Honorable Donna M. Ryu be removed from the calendar, with the understanding that Plaintiff may refile and re-notice the Motions to Compel in the Reddit and Twitter Actions as necessary at a later time.

DATED: May 9, 2023

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation

By: /s/ Kerry L. Duffy
Kerry L. Duffy
Attorneys for Plaintiff RICCARDO SILVA

DATED: May 9, 2023

PERKINS COIE
A Limited Liability Partnership

By: /s/ Doris Alvarez-Reyes
Doris Alvarez-Reyes
Attorneys for Non-Party Reddit, Inc.

1 DATED: May 9, 2023

WHITE & CASE
A Limited Liability Partnership

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4 By: /s/ J. Jonathan Hawk
J. Jonathan Hawk
Attorneys for Non-Party X Corp., Successor in
Interest to Twitter, Inc.
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8 I hereby attest that the other signatories listed above, and on whose behalf this is submitted
9 concurs in the content of and has authorized this filing.

10 /s/ Kerry L. Duffy

11 Kerry L. Duffy
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13 **ORDER**

14 Having read the above submission and stipulation, and good cause appearing, it is hereby
15 ordered that the previously filed Reddit Motion to Compel and Twitter Motion to Compel are
16 hereby withdrawn without prejudice to being re-filed and re-noticed as necessary at a later date,
17 with the hearing on the Twitter Motion to Compel currently set for June 8, 2023 in this Court to be
18 removed from the calendar.

19 **IT IS SO ORDERED.**
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21 DATED: _____, 2023

22 United States Magistrate Judge
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